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**February 11, 2005**

**From: David J. Lee**

**Matter No.: 396421**

To:	Company:	Fax Number:	Phone Number:
Group No. 1616	United States Patent and Trademark Office	703-872-9306	

Number of Pages Transmitted (Including this cover sheet): 5

Message:

Applicant(s): John B. Taylor      Atty Docket No.: 396421  
Application No.: 10/017,687      Examiner: Choi, Frank I.  
Filing Date: October 30, 2001      Group Art Unit: 1616  
Title: Fungicidal and Bactericidal Compositions for Plants Containing Phosphonate  
and Phosphate Salts, Metal Chelates and Derivatives Thereof


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Fax Attendant: Janice Price

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Applicant(s): John B. Taylor			396421
<b>Serial No.</b>	<b>Filing Date</b>	<b>Examiner</b>	<b>Group Art Unit</b>
10/017,687	October 30, 2001	Choi, Frank I.	1616
<b>Invention</b> Fungicidal and Bactericidal Compositions for Plants Containing Phosphonate and Phosphate Salts, Metal Chelates and Derivatives Thereof			
I hereby certify that this Certificate of Transmission (1 page); Transmittal Form (1 page); Applicant's Statement Accompanying Notice of Appeal (1 page); Notice of Appeal (1 page) and fax cover page (1 page) are being sent via facsimile transmission to AF, Commission For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 11th day of February, 2005.			
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PTO/SB/21 (09-04)

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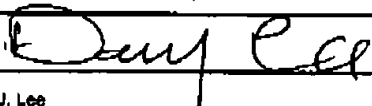
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/017,687	
	Filing Date	October 30, 2001	
	First Named Inventor	John B. Taylor	
	Art Unit	1616	
	Examiner Name	Choi, Frank I.	
Total Number of Pages in This Submission	4	Attorney Docket Number	396421

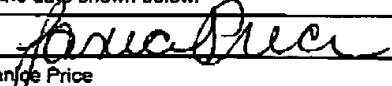
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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Lathrop & Gage		
Signature			
Printed Name	David J. Lee		
Date	February 11, 2005	Reg. No.	41,935

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PATENT  
Attorney Docket No.: 396421RECEIVED  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 11 2005

Applicant(s): John B. Taylor

Examiner: Choi, Frank I

Serial No. 10/017,687

Group Art Unit: 1616

Filed: October 30, 2001

Confirmation No. 5708

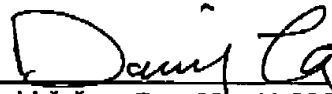
For: Fungicidal And Bactericidal  
Compositions For Plants Containing  
Phosphonate And Phosphate Salts,  
Metal Chelates And Derivatives  
Thereof

## APPLICANT'S STATEMENT ACCOMPANYING NOTICE OF APPEAL

The Applicant takes this appeal, as shown in the accompanying Notice of Appeal, from the final rejection of all claims that are pending in the application, i.e., claims 1-6, 9, 11-23, 26, and 28-54 as indicated in the office action dated August 11, 2004.

Respectfully Submitted,

Date: February 11, 2005

  
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